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8 *LLC*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 CARRINGTON MORTGAGE SERVICES,
12 LLC

13 Plaintiff,

14 vs.

15 SATICOY BAY LLC SERIES 3318 SPINET;
16 DOE INDIVIDUALS I-X, inclusive, and ROE
17 CORPORATIONS I-X, inclusive,

18 Defendants.

Case No.: 2:16-cv-02474-RFB-PAL

STIPULATED JUDGMENT

19 Carrington Mortgage Services, LLC and Saticoy Bay LLC Series 3318 Spinnet stipulate and
20 agree as follows:

21 1. On or about September 4, 2008, Guadalupe Judith Figueroa executed a promissory note
22 in the amount of \$185,523.00, which was secured by a deed of trust encumbering real property
23 commonly known as 3318 Spinnet Drive, North Las Vegas, Nevada 89032, assessor's parcel no. 139-
24 09-811-044. The deed of trust listed Taylor, Bean & Whitaker Mortgage Corp. as lender and Mortgage
25 Electronic Registration Systems, Inc. (**MERS**) as the designated beneficiary under the deed of trust.
26 This deed of trust was recorded in the Clark County Recorder's Office on September 17, 2008, as
27 Instrument No. 20080917-0000117.

28 2. On April 2, 2012, MERS assigned the deed of trust to Bank of America, N.A., successor
by merger to BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing, LP via an

1 assignment of deed of trust, which was recorded in the Clark County Recorder's Office on April 5,
2 2012, as Instrument No. 201204050001962.

3 3. On August 26, 2015, Bank of America assigned the deed of trust to Carrington via an
4 assignment of deed of trust, which was recorded in the Clark County Recorder's Office on September
5 4, 2015, as Instrument No. 20150904-0001982.

6 4. Tempo Homeowner's Association (**HOA**) foreclosed on the property on August 5,
7 2015. Saticoy Bay purchased the property at the foreclosure sale for \$3,708.00. A trustee's deed upon
8 sale was recorded in the Clark County Recorder's Office on October 19, 2015, as Instrument No.
9 20151019-0000453.

10 5. Prior to the foreclosure sale, a release of super-priority lien pursuant to NRS
11 116.3116(2) was recorded in the Clark County Recorder's Office on December 15, 2014, as Instrument
12 No. 20141215-0001168. The release stated, in part: "The 'super-priority' portion of said lien is hereby
13 released, canceled, and discharged solely for purposes of the sale relating to the above-referenced
14 Notice of Default."

15 6. Carrington foreclosed on the property on July 12, 2016. A trustee's deed upon sale was
16 recorded in the Clark County Recorder's Office on July 25, 2016, as Instrument No. 20160725-
17 0002274.

18 7. Carrington and Saticoy Bay stipulate and agree that the interest Saticoy Bay acquired
19 at the HOA's foreclosure sale was subject to the deed of trust.

20 8. Carrington and Saticoy Bay stipulate and agree that Saticoy Bay's interest in the
21 property terminated when Carrington foreclosed on the property on July 12, 2016. Saticoy Bay no
22 longer claims an interest in the property as a result of the HOA's foreclosure sale.

23 9. Carrington and Saticoy Bay therefore agree that the entry of this stipulated judgment
24 fully resolves the parties' claims in this action, and Carrington and Saticoy Bay agree to dismiss with
25 prejudice any remaining claims that were brought or that could have been brought in the above-
26 captioned matter.

27 10. Each party shall bear its own attorneys' fees and costs.
28

1 IT IS SO STIPULATED AND AGREED.

2 DATED this 21st day of December, 2018

3 AKERMAN LLP	4 LAW OFFICE OF MICHAEL F. BOHN
5 <i>/s/ Natalie L. Winslow</i>	6 <i>/s/ Michael F. Bohn</i>
7 ARIEL E. STERN, ESQ. Nevada Bar No. 8276 NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134	8 MICHAEL F. BOHN, ESQ. Nevada Bar No. 1641 2260 Corporate Circle, Ste. 480 Henderson, NV 89074 9 <i>Attorneys for Saticoy Bay LLC Series 3318 Spinet</i>
10 <i>Attorneys for Carrington Mortgage Services, LLC</i>	

11 **ORDER**

12 Based on the parties stipulations, **IT IS HEREBY ORDERED** that Saticoy Bay no longer has
13 an interest in the property by virtue of its purchase at the HOA's foreclosure sale, due to Carrington's
14 foreclosure which occurred on July 12, 2016.

15 **IT IS FURTHER ORDERED** that all claims that were asserted or that could have been
16 asserted in the above-captioned matter are dismissed, with prejudice. Each party shall bear its
17 attorneys' fees and costs.

18 **IT IS FURTHER ORDERED** that the lis pendens recorded against the property as
19 Instrument No. 201610250002279 is expunged.

20
21 DATED: December 26, 2018.

22 

23 UNITED STATES DISTRICT COURT JUDGE